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Attorneys for Plaintiff
PENNA PIPER

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

PENNA PIPER, an individual,

Plaintiff,

v.

AMERICAN INSTITUTE FOR FOREIGN
STUDY, INC. dba AU PAIR IN AMERICA,
and DOES 1-10,

Defendant.

) Case No. C 10 0107 JSW

) **STIPULATION AND ~~PROPOSED~~**
) **ORDER TO CONTINUE MEDIATION**
) **DEADLINE**

) (Marin County Superior Court, Case No.
) CIV 095805)

) Complaint Filed: November 16, 2009

1 Plaintiff Penna Piper ("Plaintiff") and Defendant American Institute for Foreign Study,
 2 Inc., dba Au Pair in America ("Defendant") (collectively the "parties") hereby stipulate and seek
 3 an order of the Court to continue the mediation deadline in this case, as follows:

4 1. On March 26, 2010, the parties filed a Stipulation and Proposed Order Selecting
 5 ADR Process with the above-captioned court. The parties agreed to participate in private
 6 mediation.

7 2. On April 26, 2010, the Hon. Jeffrey S. White entered a case management Order
 8 which included a deadline for completing the mediation of August 23, 2010.

9 3. The parties subsequently agreed to mediate this matter before mediator David
 10 Meadows.

11 4. Despite diligent efforts, Defendant has been unable to complete Plaintiff's
 12 deposition. The parties agreed that Plaintiff's deposition would go forward on July 9, 2010.
 13 Plaintiff's counsel subsequently informed Defendant's counsel that Plaintiff was too ill to
 14 proceed with her deposition on July 9, 2010 and that the parties would need to reschedule the
 15 deposition. Defendant then renoticed Plaintiff's deposition for July 20, 2010. Due to Plaintiff's
 16 alleged medical condition, Plaintiff was deposed for just over two hours on July 20, 2010.
 17 Defendant's counsel subsequently noticed Plaintiff's continued deposition for August 19, 2010.
 18 On August 13, 2010, Plaintiff's counsel notified Defendant's counsel that Plaintiff would be
 19 unavailable for deposition on August 19, 2010 due to medical treatments. The parties have
 20 agreed to reset Plaintiff's deposition at dates in the future, but are currently uncertain when
 21 Plaintiff's deposition will be completed because Plaintiff is unable to appear for her deposition
 22 for longer than three hour increments in light of her alleged medical condition and the related
 23 medical effects. The parties agree that they require additional time to complete discovery
 24 including Plaintiff's deposition before the mediation deadline.

25 5. In addition, the parties have agreed that Plaintiff will take two depositions which
 26 requires out of state travel prior to the mediation. The scheduling of these depositions also has
 27 been delayed because of the delays in Plaintiff's deposition.
 28

6. Whereas, in light of the fact that the parties will not be able to have a meaningful mediation without completing Plaintiff's deposition, the parties agree that the deadline by which to complete mediation should be extended to November 30, 2010. The parties agree that the rescheduled mediation will go forward with mediator David Meadows on November 19, 2010. The Court's granting of the requested extension will permit both parties to engage in a meaningful mediation and maximize the opportunity to settle the case.

WHEREFORE, it is hereby stipulated by and between the parties that the mediation deadline in this matter be continued from August 23, 2010 to November 30, 2010 or such other later date as the Court should determine.

DATED: August 23, 2010

Respectfully submitted,
SEYFARTH SHAW LLP

By 

Michael J. Burns
Attorneys for Defendant
AMERICAN INSTITUTE FOR FOREIGN
STUDY, INC. dba AU PAIR IN AMERICA

DATED: August __, 2010

LAWRENCE A. ORGAN
LAW OFFICES OF LAWRENCE A. ORGAN

STEVEN KESTEN, ESQ.

By _____

Lawrence A. Organ
Attorneys for Plaintiff
PENNA PIPER

Good cause appearing therefore, as set forth in the above stipulation, the court-ordered deadline for mediation is hereby extended to November 30, 2010.

IT IS SO ORDERED.

DATED: August __, 2010

Hon. Jeffrey S. White

1 6. Whereas, in light of the fact that the parties will not be able to have a meaningful
 2 mediation without completing Plaintiff's deposition, the parties agree that the deadline by which
 3 to complete mediation should be extended to November 30, 2010. The parties agree that the
 4 rescheduled mediation will go forward with mediator David Meadows on November 19, 2010.
 5 The Court's granting of the requested extension will permit both parties to engage in a
 6 meaningful mediation and maximize the opportunity to settle the case.

7 WHEREFORE, it is hereby stipulated by and between the parties that the mediation
 8 deadline in this matter be continued from August 23, 2010 to November 30, 2010 or such other
 9 later date as the Court should determine.

10 DATED: August __, 2010

Respectfully submitted,
 SEYFARTH SHAW LLP

11
 12
 13 By _____
 Michael J. Burns
 Attorneys for Defendant
 AMERICAN INSTITUTE FOR FOREIGN
 STUDY, INC. dba AU PAIR IN AMERICA

14
 15 DATED: August 13, 2010

LAWRENCE A. ORGAN
 LAW OFFICES OF LAWRENCE A. ORGAN
 STEVEN KESTEN, ESQ.

16
 17
 18
 19 By _____
 Lawrence A. Organ
 Attorneys for Plaintiff
 PENNA PIPER

20
 21
 22 Good cause appearing therefore, as set forth in the above stipulation, the court-ordered
 23 deadline for mediation is hereby extended to November 30, 2010.

24 **IT IS SO ORDERED.**

25
 26 DATED: August 24, 2010

27
 28
 Hon. Jeffrey S. White